



CDF's Civil Cost Recovery Program



Wildland fires cost taxpayers millions of dollars every year. Beside the destruction of personal property and the devastation of natural resources, the actual cost of fighting fire is expensive.

The California Legislature has ruled that taxpayers should not be responsible for the costs associated with suppressing fires caused by an act of human carelessness. The purpose of the California Department of Forestry and Fire Protection's Civil Cost Recovery Program is to recover the cost of fighting fires caused by people who violate the law or who were negligent in their actions.

When a person starts a fire, whether due to negligence or intentionally, they may be cited and charged by the fire agency with jurisdiction for the area. In 1964, state law mandated that CDF pursue claims against persons who negligently or intentionally started fires within State Responsibility Areas (SRA).



Parents, whose children are responsible for starting fires through negligence, may be liable for up to \$25,000 per child in costs associated with the fire's suppression.

Each year, CDF bills approximately 500 people for fire suppression costs. Once the investigation is completed and the cost of fire suppression is determined, the responsible party is sent a "Letter of Demand." This letter outlines the act of negligence or violation of law that occurred, provides the amount levied for suppression costs, and lists a contact person. If the responsible party fails to address the situation or denies responsibility, the case is submitted to the courts.

Case in Point

- One case where CDF sought cost recovery occurred in 1997. CDF responded to the Laurel Fire in San Diego County. It was determined that the cause was a eucalyptus branch growing into power lines. This fire burned 723 acres, took four days to control, committed over 900 personnel and cost over \$1.3 million to suppress. CDF recovered costs associated with this fire.



- Another example occurred in September of 1999. Firefighters were dispatched to an arson-caused fire. The fire cost over \$340,000 to suppress, burned 440 acres, and

destroyed one structure. In this instance the responsible party was ordered to make restitution for suppression costs.

- In 1996, Southern California Edison was billed \$7.9 million for fire suppression costs for the Calabasas Fire. A settlement was negotiated for \$6.55 million just prior to trial in 2003. CDF determined that the fire was caused when a eucalyptus branch was bent by the wind into a lightning arrestor.



- The largest amount ever billed by CDF to date was to Pacific Gas & Electric (PG&E) in 1990 for \$8.2 million. The Campbell Fire burned over 125,000 acres and destroyed 27 structures in Tehama County. CDF determined that the fire was caused by a tree limb that made contact with a 500 kilovolt powerline. PG&E had not maintained the ten-foot clearance around its powerline as required by law. PG&E eventually agreed to a negotiated settlement of \$5 million.

CDF's Civil Cost Recovery Program helps offset the burden placed on the state's budget by returning recovered dollars to the state's General Fund. From \$4-6 million is collected in civil cost recovery each year.

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